

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	<b>CASE NO. 8:03CR307</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>DALE M. BROWN,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter is before the Court on the Defendant's Application to Proceed Without Prepayment of Fees and Affidavit by a Prisoner (Filing No. 127). The Defendant indicates that he is not a petitioner, plaintiff, nor movant, and it is unclear what purpose is to be served by his Application. The docket sheet reveals no pending matters or unresolved issues.

The Defendant was previously permitted to proceed in district court as one financially unable to obtain adequate defense. A defendant may proceed on appeal in forma pauperis without further authorization, unless this Court certifies that the appeal is not taken in good faith or finds that the Defendant is not otherwise entitled to proceed in forma pauperis. Fed. R. App. P. 24(a)(3). Because there is no pending appeal and at this time the Court is unable to determine the reason for the Defendant's Application, the motion will be denied as moot.

IT IS ORDERED that the Defendant's Application to Proceed Without Prepayment of Fees and Affidavit by a Prisoner (Filing No. 127) is denied as moot.

DATED this 14<sup>th</sup> day of January, 2014.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge